

A

REVIEW OF THE STATE OF THE BRITISH NATION.

Saturday, February 5. 1709.

I Come now to examine farther into the Case of the Invasion in Scotland, and I hope, no Body will misunderstand me, and think I am saying, there are no Encouragements given to the Enemy for his renewing that Attempt, because I cannot allow, his Encouragements are as great as before; The Distinction is brief and plain.

1. From the Circumstances of the People in Scotland, I mean the Body of the People, the People who adhere to the present Settlement; he has not the same Encouragement; for their Eyes are open'd, they have arriv'd to a Determination of the Difference between the Union, (whether they like it

or no) and a Popish Pretender, between an Union with England and an Union with France: And tho' there are some among them have so little Kindness for the Union, that they could wish it dissolv'd, yet they do not like to have it done this way.— Their Eyes are open'd, they have declar'd themselves one and all against it, and whole Towns, whole Counties have associat'd, and resolv'd immediately to take Arms, if ever such an Attempt is made, and to fight them to the last Gasp.
2. From the Affairs in England he has not the same Encouragement; for our Eyes are that way, and we are not so capable of being surpriz'd as we were then.— It is true, as I said before, in small Parties,

a few Ships at a Time, they may make an Attempt, or as we may call them, Inroads upon Scotland, and as Scotland is scituate, it is morally impossible to prevent their Landing ; so if they resolve to venture but to fit out any Force, *as before*, to attack the Capital, and to make any great Figure, they have not the same Encouragement, for they know we shall be upon them, and it is next to impossible they should succeed in any such Attempt.

But now if you will come to talk of another Sort of People in Scotland, or here either ; if you come to enquire into the Numbers and the Insolence of the Jacobite Party, how they have escap'd from Justice, and their Rehearsal calling it coming off with Honour, how they insult the Government, rabble the Church, affront Justice, and bid Defiance to Law ; Here I readily allow, the French has rather greater Encouragement than he had before ; and here I wish some Things were the Subject of our Enquiry. Viz.

How these last arraign'd there came to be acquitted and assoil'd, and perhaps in such an Enquiry the Behaviour of the Judges in Criminal Cases in Scotland may come to be enquir'd into, not in this Case only, but some others ; for if this Matter be not enquir'd into, it may be found a more difficult Matter to convict a Jacobite in Scotland, than most People are at present aware of ; and this may be a particular Reason, why the Jacobites there are arriv'd to such an Insolence, in that they promise to themselves an easie Escape, either from the Defect of Law, or the Defect of executing the Law. Nor will our new Act now on Foot prevent this Part ; for if the Laws pass never so many Amendments and Alterations, if the Judges of those Laws are not so chosen, or so regulated, as that we may arrive to a clear and impartial Execution of those Laws, it will be to very little Purpose to have them altered. This therefore must be allow'd to be a most material Branch of our Enquiry into the Invasion. Q. Whether the Ways for Traytors to escape Punishment in

Scotland, and the Doors for them to fly out at, are not so many, and so wide open as to give Encouragement to a Party to insult the Government, depending upon Impunity and Assilment, in Case of being brought to the Bar ; and this Enquiry is more particularly needful at this Time, by how much the acquitting these Men is made an Argument, why they should not have been taken up, which by the way, I must think, is the greatest Mistake imaginable ; for if the Government in such a Time, *as this was*, of publick Danger from an invadig Pretender, shall not have Power to apprehend any Body, but such against whom there is sufficient Evidence, Men of profess'd Aversions to the Government, shall have Liberty to carry their Attempts against it to a very great Height, and the Government shall have no Power to lay hold on them, till perhaps they may be too strong to be laid hold on.

And this brings us to the Point in hand, Viz. What are the just Grounds of Suspicion ? In which I think, the Paper call'd my Lord H——m's Speech commits a very great Mistake.

I confess, the Paper call'd a Speech has borrow'd the Jacobites Argument in Scotland, and honour'd it exceedingly in making Use of it in so publick a Discourse, I mean, the Argument brought by the Jacobite Clergy in Scotland, why they should not take the Oaths to the QUEEN. *The Case is thus.*

He says, Great Pains has been taken to perswade the World from Mens Practise in former Reigns, that they are still of Arbitrary Principles ; and from thence 'tis infer'd they ought to be suspected — And from thence asks, if we are to suspect any who are at the Head of the Ministry ?

The Jacobite Clergy in Scotland, whose Meeting-Houses are now suppress'd, as being Persons suspected of favouring the Enemy, because they do not take the Oaths — SAY in their late celebrated Narrative, that this is a Mistake ; they are Men of peaceable Dispositions, and the Government is safe in them, p. 11. 15, 16. — And why should you not as well suspect the Presbyterians, since

since a great many of them refus'd the Oaths at the Revolution, and do so still?

The Parallel, I believe, will be allow'd to be very exact, and the Answer, which is given to the Allegations of the Jacobites, will certainly serve here. — The Question does not lie upon former but present Behaviour, tho' both refuse the Oaths alike, yet the known Practice of the Presbyterians, tho' refusing the Oaths, having been for twenty Year past loyal, moderate, and pursuing the Interest of Liberty, Revolution, Succession, and Union; and the known Practice of the other having been to oppose them all; the Distinction made is very just, and there appears an unanswerable Reason for suspecting the one, and trusting the other.

And so again of his Complaint, that Persons are render'd suspected for complaining of the Ministry, and yet those that espoused the Case and Complaint of the Merchants in last Parliament, advanc'd now to the greatest Places of Trust. —

Now this serves only to usher in a necessary Distinction, which the Author of that Speech no doubt forefaw, would be made, *Viz.* between those who complain of real Grievances with Design to have them redress'd for the publick Good; and those who seeking Occasions, complain of Persons rather than of Things, and push at putting Some out and some in. — In which Case the Endeavour has been plain, to put out not the Persons only, but the Party from the Administration; and there is no Question, but when he considers that Distinction again, he will see plainly, that this Part of his Objection is as faulty as the other.

It seems to me, that a Man's former profess'd Disaffection of Principle, not bury'd by any known Alteration of Practice *sincere*, must be allow'd a sufficient Ground of Suspicion; and on the other hand, any Man's former Principles openly and avowedly laid down, and testify'd by a Series of Fidelity, Loyalty, and Moderation, are no Objection against his being

valued, trusted, and supported; which way, or at whom the Arguments point on either hand, I neither know nor enquire.

It remains to examine, how comes it to pass, that after so great a Discourse both in France, and here also, of a strong Party in Scotland, upon whose Encouragement the late Attempt was made, and the just Probability that such an Attempt was *not made without great Encouragement*; yet no Body can be pitch'd upon, at whose Door the Guilt can be laid; and as this merits some Enquiry, so I shall make an Essay upon it in my next. At present I shall say,

1. You must enquire of the French Admiral Monsieur and ask him the Reason, why he did not land somewhere else, after he had found himself disappointed at Leith, that their Friends might have shewn themselves?
2. Ask the Lords of the Justi...y?

And after all, if none of these will inform you, I may attempt to give you some Reasons for it from my own Observation.

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